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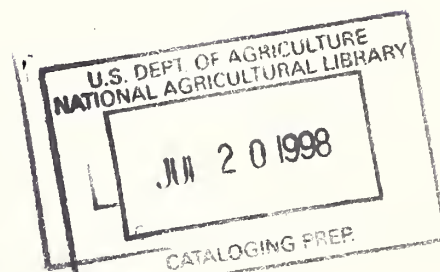
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Section 32

UNITED STATES DEPARTMENT OF AGRICULTURE
Consumer and Marketing Service



CHRONOLOGICAL LEGISLATIVE HISTORY
OF SECTION 32

Prepared by Budget Division
Consumer Food and Surplus Removal Programs Branch
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Section 32 - Original Act
(P.L. 320 - 74th Cong. Aug. 24, 1935, 49 Stat. 774)

Section 32 of an Act to amend the Agricultural Adjustment Act, as amended, approved August 24, 1935 was the original authority making available 30 percent of the annual customs receipts - "to encourage the exportation and domestic consumption of agricultural commodities".

"There is hereby appropriated for each fiscal year beginning with the fiscal year ending June 30, 1936, an amount equal to 30 per centum of the gross receipts from duties collected under the customs laws during the period January 1 to December 31, both inclusive, preceding the beginning of each such fiscal year. Such sums shall be maintained in a separate fund and shall be used by the Secretary of Agriculture only to (1) encourage the exportation of agricultural commodities and products thereof by the payment of benefits in connection with the exportation thereof or of indemnities for losses incurred in connection with such exportation or by payments to producers in connection with the production of that part of any agricultural commodity required for domestic consumption; (2) encourage the domestic consumption of such commodities or products by diverting them, by the payment of benefits or indemnities or by other means, from the normal channels of trade and commerce; and (3) finance adjustments in the quantity planted or produced for market of agricultural commodities. The amounts appropriated under this section shall be expended for such of the above specified purposes, and at such times, in such manner, and in such amounts as the Secretary of Agriculture finds will tend to increase the exportation of agricultural commodities and products thereof, and increase the domestic consumption of agricultural commodities and products thereof: Provided, That no part of the funds appropriated by this section shall be expended pursuant to clause (3) hereof unless the Secretary of Agriculture determines that the expenditure of such part pursuant to clauses (1) and (2) is not necessary to effectuate the purposes of this section: Provided further, That no part of the funds appropriated by this section shall be used for the payment of benefits in connection with the exportation of unmanufactured cotton".

Purchase of Agricultural Commodities for Donation to FSCC
(P.L. 440 - 74th Cong. Feb. 11, 1936, 49 Stat. 1117)

The Comptroller General of the United States did not at first view the purchase of commodities for distribution to relief families as a proper use of Section 32 funds, and, accordingly, this supplemental legislation was sought and granted.

"During the fiscal years 1936 and 1937, in carrying out clause (2) of said Section 32, the Secretary of Agriculture may, if he finds that the purposes of said section will be accomplished thereby, purchase without regard to Section 3709, Revised Statutes, agricultural commodities and products thereof, including purchases for donation to the Federal Surplus Commodities Corporation".

Section 32 Funds Available for Cotton Price Adjustment Payment Plan, 1935
(P.L. 440 - 74th Cong. Feb. 11, 1936, 49 Stat. 1117)

A portion of the Section 32 funds appropriated for the fiscal year 1936 was used to finance the Cotton Price Adjustment Program of 1935.

The 1935 Cotton Price Adjustment Payment Plan: So much as may be necessary of the amount appropriated for the fiscal year ending June 30, 1936, by section 32 of the Act approved August 24, 1935 (49 Stat. 774), is hereby made available, to remain available until expended, to enable the Secretary of Agriculture to make the payments provided for in the 1935 cotton price adjustment payment plan (set forth in the printed forms issued by the Secretary of Agriculture, designated forms numbered C.A.P. 1 to 5 and forms supplementary thereto) to the persons and in the amounts and in the manner prescribed in said plan, except that the provisions of said plan which condition the making of payments upon the producer undertaking to cooperate in the 1936 cotton adjustment program formulated under the Agricultural Adjustment Act shall be of no force and effect, and to pay the necessary administrative expenses incurred and to be incurred in connection with the making and auditing of the payments hereby authorized by the Department of Agriculture, the Treasury Department, and the General Accounting Office, including the employment of persons and means in the City of Washington and elsewhere, in accordance with said plan: Provided, That applications for and the payments thereon are hereby authorized and such forms may be employed without alteration and payments made without regard to any references to any undertaking to comply with the 1936 cotton adjustment program formulated under the Agricultural Adjustment Act, as amended: Provided further, That payments payable hereunder to cotton producers who in 1935 operated on a farm which was not in 1935 covered by a 1934 and 1935 cotton acreage reduction contract or which in 1935 was covered by such a contract which was not complied with in 1935 shall be made as soon as may be without delaying payments to producers who in 1935 operated on a farm covered by such a contract which was complied with in 1935.

Section 32 Administrative Funds, F. Y. 1936
(P.L. 440 - 74th Cong. Feb. 11, 1936, 49 Stat. 1118)

In the absence of substantive legislation making Section 32 funds available for carrying its own administrative expenses, Congress made provision for this expense through various appropriation acts.

Administrative expenses, exportation and domestic consumption of agricultural commodities: Not to exceed \$300,000 of the appropriation made available for the fiscal year 1936 in section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935, is hereby made available for administrative expenses, including the employment of persons and means in the city of Washington and elsewhere, other than administrative expenses in connection with the 1935 cotton price adjustment payment plan.

Section 32 - Additional Authorities for the Secretary
(P.L. 461 - 74th Cong. Feb. 29, 1936, 49 Stat. 1131)

The Comptroller General took issue with the Department in several of the initial programs as to what constituted a diversion from the normal channels of trade and commerce. This conflict was clarified when the Congress provided the Secretary of Agriculture with the authority to determine finality concerning such matters.

"Sec. 2. Section 32 of the Act to amend the Agricultural Adjustment Act, and for other purposes, approved August 24, 1935, is amended by striking out clause (3) and inserting in lieu thereof, (3) reestablish farmers' purchasing power by making payments in connection with the normal production of any agricultural commodity for domestic consumption. Determinations by the Secretary as to what constitutes diversion and what constitutes normal channels of trade and commerce and what constitutes normal production for domestic consumption shall be final. The sums appropriated under this section shall be expended for such one or more of the above-specified purposes, and at such times, in such manner, and in such amounts as the Secretary of Agriculture finds will effectuate substantial accomplishment of any one or more of the purposes of this section".

Section 32, Transfer to Treasury of 1936 Unobligated Balance For Refund of Processing Tax

(P.L. 740 - 74th Cong. June 22, 1936, 49 Stat. 1755)

"Funds made available to the Secretary of Agriculture by the appropriation for the fiscal year 1936 in section 32 of Public Law Numbered 320, 74th Congress, approved August 24, 1935, to the extent of the unobligated balance thereof; and by the appropriation in section 12(a) of the Agricultural Adjustment Act, in an amount not in excess of \$15,000,000; shall be available until June 30, 1937, for transfer to the Treasury Department for salaries and administrative expenses in carrying out the provisions of this title and of Title IV, including necessary investigative work, and for refunds and payments under Title IV. Such funds shall be available for expenditure by the Secretary of the Treasury for personal services and rent in the District of Columbia and elsewhere, for law books, books of reference, press releases, trade journals, periodicals, and newspapers, for contracting reporting services, printing and paper in addition to allotments under the existing law, travel expenses, for mileage and per diem of witnesses, in lieu of payment of which mileage and per diem may be made in advance upon certification of such officer as the Commissioner or the Secretary may designate, and such certification shall be conclusive. In addition to the foregoing, the administrative expenses provided for in this section shall include such miscellaneous expenses as may be authorized or approved by the Commissioner or the Secretary for carrying out the provisions of this title, including witness fees and mileage for experts, notarial fees, or like services, and stenographic work for taking depositions."

Donation of Section 32 Commodities to FSCC

P.L. 165 - 75th Cong. June 26, 1937, 50 Stat. 323 as amended July 2, 1958, 72 Stat. 287)

This law continued the Federal Surplus Commodities Corporation as an agency of the Government, authorized its use in carrying out the purposes of clause (2) of Section 32 (primarily for relief purposes).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That in carrying out the provisions of clause (2) of section 32 of the act approved August 24, 1935 (49 Stat. 774), as amended, the Secretary of Agriculture may transfer to the Federal Surplus Commodities Corporation, which corporation is hereby continued, until June 30, 1939, as an agency of the United States under the direction of the Secretary of Agriculture, such funds, appropriated by said section 32, as may be necessary for the purpose of effectuating said clause (2) of section 32: Provided, That such transferred funds, together with other funds of the corporation, may be used for purchasing, exchanging, processing, distributing, disposing, transporting, storing, and handling of agricultural commodities and products thereof and inspection costs, commissions, and other incidental costs and expenses, without regard to the provisions of existing law governing the expenditure of public funds and for administrative expenses, including rent, printing and binding, and the employment of persons and means, in the District of Columbia and elsewhere, such employment of persons to be in accordance with the provisions of law applicable to the employment of persons by the Agricultural Adjustment Administration.

In carrying out clause (2) of section 32, the funds appropriated by said section may be used for the purchase, without regard to the provisions of existing law covering the expenditure of public funds, of agricultural commodities and products thereof, and such commodities, as well as agricultural commodities and products thereof purchased under the preceding paragraph hereof, may be donated for relief purposes, and for use in the nonprofit summer camps for children.

Transfer of Section 32 Funds to Conservation and Use

(P.L. 173 - 75th Cong. June 29, 1937, 50 Stat. 430)

On occasions (Agriculture Appropriation Act, F. Y. 1938 and 1947) when a surplus of Section 32 funds have existed Congress has made a portion of such funds available for agricultural conservation payments.

To enable the Secretary of Agriculture to carry into effect the provisions of section 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936 (U. S. C., Supp. II, title 16, secs. 590g-590q), including the employment of personal services and rent in the District of Columbia and elsewhere; printing and binding; purchase of law books, books of reference, periodicals, and newspapers; and other necessary expenses, \$340,000,000, together

with not to exceed \$10,000,000 of the funds made available for the fiscal years 1937 and 1938 by Section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935 (U. S. C., Supp. II, title 7, Sec. 612):..."

Section 32 Administrative Funds, F.Y. 1938*
(P.L. 173 - 75th Cong. June 29, 1937, 50 Stat. 430)

"Provided further, That the funds provided by section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935 (U.S.C., Supp. II, title 7 sec, 612c), shall be available during the fiscal year 1938 for administrative expenses in such sums as the President may direct in carrying out the provisions of said section, including the employment of persons and means in the District of Columbia and elsewhere, in accordance with the provisions of law applicable to the employment of persons and means by Agricultural Adjustment Administration".

Section 32 Funds Available for Price Adjustment Payment to Cotton Producers

(P.L. 354 - 75th Cong. Aug. 25, 1937, 50 Stat. 762)

A large part of the funds appropriated for both the fiscal years 1936 and 1937 was used to finance the 1937 Cotton Adjustment Program. Specific legislative directions to carry out these Cotton Price Adjustment Programs may have stemmed in part from the fact that Sec. 32 as originally enacted prohibited the use of funds in connection with exportation of unmanufactured cotton.

"Notwithstanding any other provisions of section 32 of Public Law Numbered 320, Seventy-fourth Congress, as amended, not to exceed \$55,000,000 of the funds available under said section 32 in each of the fiscal years 1938 and 1939 shall be available (at such times and in such amounts as the Secretary of Agriculture may determine) until expended for a price-adjustment payment, upon such terms and conditions as the Secretary of Agriculture may determine, with respect to the 1937 cotton crop to cotton producers who have complied with the provisions of the 1938 agricultural adjustment program formulated under the legislation contemplated by Senate Joint Resolution Numbered 207, Seventy-fifth Congress. Such payments to any producer shall be at a rate per pound equal to the difference between 12 cents per pound and the average price of seven-eighths Middling cotton on the ten designated spot cotton markets on the dates of sale of such cotton, but in no case shall exceed 3 cents per pound. The basis for any such payment, or the amount thereof, when officially determined in conformity with rules prescribed by the Secretary of Agriculture shall be reviewable only by the Secretary of Agriculture".

*Since no legislation provided for Section 32 administrative funds, F.Y. 1937, these expenses were paid from the \$100,000,000 appropriation provided in section 12(a) of the Agricultural Adjustment Act.

Section 32 - 25 Percent Limitation on Any One Commodity
(P.L. 430 - 75th Cong. Feb. 16, 1938, 52 Stat. 38)

This legislation deleted the proviso in Section 32 prohibiting export payment with respect to unmanufactured cotton and inserted in lieu thereof a provision that not in excess of 25 percent of the funds available during any fiscal year could be spent with respect to any one agricultural commodity or product thereof. Following this change in authority, emphasis was placed upon the development of export subsidy programs in an effort, in an increasingly difficult world situation of nationalistic feeling and threat of war, to maintain our fair share of the world market, particularly with respect to wheat and cotton.

Cotton Export Payments

Sec. 203. Section 32, as amended, of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935, is amended by striking out: "Provided further, That no part of the funds appropriated by this section shall be used for the payment of benefits in connection with the exportation of unmanufactured cotton" and is further amended by adding at the end thereof the following: "Notwithstanding any other provisions of this section, the amount that may be devoted, during any fiscal year after June 30, 1939, to any one agricultural commodity or the products thereof in such fiscal year, shall not exceed 25 per centum of the funds available under this section for such fiscal year.

FSCC Extended Until June 30, 1942
(P.L. 430 - 75th Cong. Feb. 16, 1938, 52 Stat. 38)

Sec. 204. An Act entitled "An Act to extend the time for purchase and distribution of surplus agricultural commodities for relief purposes and to continue the Federal Surplus Commodities Corporation", approved June 28, 1937 (Public Law Numbered 165, Seventy-fifth Congress), is amended by striking out "continued, until June 30, 1939", and inserting in lieu thereof "continued, until June 30, 1942". The Federal Surplus Commodities Corporation shall submit to Congress on the first day of each regular session an annual report setting forth a statement of the activities, receipts, and expenditures of the Corporation during the previous fiscal year.

Section 32 Administrative Funds
(P.L. 430 - 75th Cong. Feb. 16, 1938, 52 Stat. 69)

This is the first authority to establish a percentage limitation on total funds available as the maximum which may be used for administrative expenses. It provides a limitation of 1% of funds available for expenses in D. C., and of 2% for field expenses.

Sec. 321. (b) In the administration of this title, sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, and Section 32, as amended, of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935, the aggregate amount expended in any fiscal

year, beginning with the fiscal year ending June 30, 1939, for administrative expenses in the District of Columbia, including regional offices, shall not exceed 1 per centum of the total amount available for such fiscal year for carrying out such Acts, and the aggregate amount expended in any fiscal year for administrative expenses in the several States (not including the expenses of county and local committees) shall not exceed 2 per centum of the total amount available for such fiscal year for carrying out such Acts".

Section 32 Administrative Funds, F.Y. 1939
(P.L. 644 - 75th Cong. June 16, 1938, 52 Stat. 744)

"Provided further, That the funds provided by section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935 (7 U.S.C. 612c), shall be available during the fiscal year 1939 for administrative expenses, in accordance with the provisions of section 392 of the Agricultural Adjustment Act of 1938, in carrying out the provisions of said section, including the employment of persons and means in the District of Columbia, and elsewhere, in accordance with the provisions of law applicable to the employment of persons and means by Agricultural Adjustment Administration".

Disposal of Surplus Commodities, F.Y. 1940
(P.L. 159 - 76th Cong. June 30, 1939, 53 Stat. 975)

The Agriculture Appropriation Act, F.Y. 1940, appropriated funds for the disposal of surplus commodities in addition to regular Section 32 funds for this purpose and incorporated in the basic Section 32 language authority to donate commodities among persons in low income groups.

"To enable the Secretary of Agriculture to further carry out the provisions of section 32, as amended, of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935, and subject to all provisions of law relating to the expenditure of funds appropriated by such section, \$113,000,000. Such sum shall be immediately available and shall be in addition to, and not in substitution for, other appropriations made by such section or for the purpose of such section: Provided, That not in excess of 25 per centum of the funds herein made available may be devoted to any one agricultural commodity: Provided further, That of that part of the funds appropriated in this paragraph which may be allocated for expenditure in connection with cotton not less than 50 per centum shall be allocated for use in carrying out clause (3) of such section, or in carrying out clause (2) of such section, which clause (2) is hereby amended by inserting before the semicolon after "commerce" the following: "or by increasing their utilization through benefits, indemnities, donations or by other means, among persons in low income groups as determined by the Secretary of Agriculture".

Section 32 Administrative Funds, F.Y. 1940
(P.L. 159 - 76th Cong. June 30, 1939, 53 Stat. 974)

And provided further, That the funds provided by section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act and for other purposes", approved August 24, 1935 (7 U. S. C. 612c), shall be available during the fiscal year 1940 for administrative expenses, in accordance with the provisions of section 392 of the Agricultural Adjustment Act of 1938, in carrying out the provisions of said section 32, including the employment of persons and means in the District of Columbia and elsewhere, in accordance with the provisions of law applicable to the employment of persons and means by the Agricultural Adjustment Administration.

Purchase and Distribution of Surplus Fishery Products and Promote Markets for Fishery Products

(P.L. 393 - 76th Cong. Aug. 11, 1939, 53 Stat. 1411, 1412)

This law authorizes an annual transfer of Section 32 funds to the Interior Department for the purpose of conducting a fishery educational service and developing markets for fishery products. In previous years special legislation was passed appropriating funds from the Treasury to enable the Federal Surplus Commodities Corporation to divert fish and fish products from the normal channels of trade by acquiring them and providing for their distribution through Federal, State and private relief agencies. (When FSCC authority expired in 1945 it did not terminate the authority for the Department of Agriculture to transfer Section 32 funds to the Interior Department for purposes provided in this act, nor did it terminate the authority for the Department of Agriculture to use these funds for the purchase of surplus fishery products and their donation through eligible outlets.)

Sec. 1. Any part of the funds not to exceed \$1,500,000 per year, transferred by the Secretary of Agriculture to the Federal Surplus Commodities Corporation created under and to carry out the provisions of section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, may also be used by such Corporation for the purposes of diverting surplus fishery products (including fish, shellfish, mollusks, and crustacea) from the normal channels of trade and commerce by acquiring them and providing for their distribution through Federal, State, and private relief channels: Provided, That none of the funds made available to the Federal Surplus Commodities Corporation under this Act shall be used to purchase any of the commodities designated in this Act which may have been produced in any foreign country. The provisions of law relating to the acquisition of materials or supplies for the United States shall not apply to the acquisition of commodities under this Act. (15 USC 1940 ed. 713c-2, August 11, 1939, 53 Stat. 1411.)

Sec. 2. (a) From the fund authorized to be transferred by section 1 hereof, the Secretary of Agriculture is authorized to transfer to the Secretary of the Interior sums as follows to be maintained in a separate fund, \$75,000, which shall be used by the Secretary of Interior to promote

the free flow of domestically produced fishery products in commerce by conducting a fishery educational service; and \$100,000, which shall be used by the Secretary of the Interior to develop and increase markets for fishery products of domestic origin. (15 USC 1940 ed. 713c-3, August 11, 1939, 53 Stat. 1412.)"

Section 32 Administrative Funds, F.Y. 1941
(P.L. 658 - 76th Cong. June 25, 1940, 54 Stat. 561)

The Agriculture Appropriation Act, F.Y. 1941, provided authority for Sec. 32 Administrative Expenses. Also the maximum available for administrative expenses was set at 3 percent without regard to D. C. and field limitations.

"Provided further, That the funds provided by section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act and for other purposes", approved August 24, 1935 (7 U. S. C. 612c), shall be available during the fiscal year 1941 for administrative expenses, in accordance with the provisions of section 392 of the Agricultural Adjustment Act of 1938, in carrying out the provisions of said section 32, including the employment of persons and means in the District of Columbia and elsewhere, in accordance with the provisions of law applicable to the employment of persons and means by the Agricultural Adjustment Administration, except that within the total of limitations imposed by section 392 (b) of said Act for administrative expenses in the District of Columbia, regional offices, and in the several States, such limitations may, in connection with the activities of the Marketing and Marketing Agreements Division of the Agricultural Adjustment Administration and the Federal Surplus Commodities Corporation, be interchanged in whole or in part, during the current fiscal year, between the District of Columbia, regional offices, and the several States".

Disposal of Surplus Commodities and 25 Percent Restriction on Use of Section 32 Funds, F.Y. 1941.

(P.L. 658 - 76th Cong. June 25, 1940, 54 Stat. 563)

The Agriculture Appropriation Act, F.Y. 1941 provided an additional appropriation of \$85,000,000 for surplus disposal and provided that the 25 percent provision would not apply to stamp plan for the removal of surplus commodities. - At the beginning of World War II it became difficult to secure an effective outlet of agricultural surpluses in the world market. Accordingly, in the development of programs under Section 32 greater emphasis was placed on the utilization of the money in a manner that would bring about the creation of new domestic markets through the instrumentality of the so-called Stamp plan, School Lunch Program, and the Penny Milk Program. It appeared that under unsettled international conditions, the most suitable outlets for agricultural surpluses was through undeveloped domestic outlets.

"To enable the Secretary of Agriculture to further carry out the provisions of section 32, as amended, of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935, and subject to all provisions of law relating to the expenditure of funds appropriated by such section, \$85,000,000. Such sum shall be immediately available and shall be in addition to, and not in substitution for, other appropriations made by such section or for the purpose of such section: Provided, That not in excess of 25 per centum of the funds herein made available may be devoted to any one agricultural commodity: Provided further, That said 25 per centum provision and the like provision in said section 32, as amended, shall not apply to amounts devoted to a stamp plan for the removal of surplus agricultural commodities from funds made available hereby and by said section 32, and, notwithstanding expenditures under such stamp plan, the 25 per centum provision shall continue to be calculated on the aggregate amount available hereunder and under said section 32."

Additional Funds - Disposal of Surplus Commodities, F.Y. 1941
(P. Res. 88 - 76th Cong. June 26, 1940, 54 Stat. 627)

Sec. 41. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year 1941, the sum of \$50,000,000, to be used by the Secretary of Agriculture for the purpose of effectuating the provisions of section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935, as amended, such sum to be subject to all the provisions of the law relating to the expenditure of such funds.

Disposal of Surplus Commodities, F.Y. 1942
(P.L. 143 - 77th Cong. July 1, 1941, 55 Stat. 407)

Emergency Relief Appropriation Act, 1942, provided for the disposal of surplus commodities by providing an additional appropriation of \$25,000,000.

Sec. 34. Thereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year 1942, the sum of \$25,000,000, to be used by the Secretary of Agriculture for the purpose of effectuating the provisions of Section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935, as amended, such sum to be in addition to any funds appropriated by such section 32 and to be subject to all the provisions of law relating to the expenditure of such funds.

Section 32 Administrative Expenses, F.Y. 1942
(P.L. 144 - 77th Cong. July 1, 1941, 55 Stat. 435)

"Provided further, That the funds provided by section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act and for other purposes", approved August 24, 1935 (7 U. S. C. 612c), shall be available during the fiscal year 1942 for administrative expenses, in accordance with the provisions of section 392 of the Agricultural Adjustment Act of 1938, in carrying out the provision of said section 32, and the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U. S. C. 608c-608d), including the employment of persons in the District of Columbia and elsewhere, in accordance with the provisions of law applicable to the employment of persons and means by the Agricultural Adjustment Administration, except that within the total of limitations imposed by section 392 (b) of said Act for administrative expenses in the District of Columbia, regional offices, and in the several States, such limitations may, in connection with the activities of the Surplus Marketing Administration be interchanged, in whole or in part, during the current fiscal year, between the District of Columbia, regional offices, and the several States".

Disposal of Surplus Commodities, F.Y. 1942
(P.L. 144 - 77th Cong. July 1, 1941, 55 Stat. 437)

In addition to the regular Section 32 funds the Agriculture Appropriation Act, F.Y. 1942, provided an appropriation of \$100,150,000 for disposal of surplus commodities of which \$116,850 was transferred to BAE for the purpose of special studies on disposal of surplus commodities.

"To enable the Secretary of Agriculture to further carry out the provisions of section 32, as amended, of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935, and subject to all provisions of law relating to the expenditure of funds appropriated by such section, \$100,150,000, of which \$116,850 shall be transferred to and made a part of the appropriation, "Salaries and expenses, Bureau of Agricultural Economics". Such sum shall be immediately available and shall be in addition to, and not in substitution for other appropriations made by such section or for the purpose of such section: Provided, That not in excess of 25 per centum of the funds herein made available may be devoted to any one agricultural commodity; Provided further, That said 25 per centum provision and the like provision in said section 32 as amended, shall not apply to amounts devoted to a stamp plan for the removal of surplus agricultural commodities from funds made available hereby and by said section 32, and, notwithstanding expenditures under such stamp plan, the 25 per centum provision shall continue to be calculated on the aggregate amount available hereunder and under said section 32".

Steagall Amendment - Price Support for Non-basic Commodities
(P.L. 147 - 77th Cong. July 1, 1941, 55 Stat. 498)

In Fiscal year 1942 funds appropriated by Section 32 were authorized not only to be used to relieve surplus situations but also to support the price of agricultural commodities, the production of which was originally needed for war. (The Congress, responding to the concern of the farmers over their inability to sustain by themselves the risks involved in greatly expanded production of war crops, by enactment of the so-called Steagall Amendment, directed the Secretary of Agriculture to support the price of agriculture commodities at 85 percent of parity when he found it necessary to encourage the expansion of the production of these commodities for war purposes and authorized the use of Sec. 32 funds to support the prices of agricultural commodities.)

Sec. 4. (a) Whenever during the existing emergency the Secretary of Agriculture finds it necessary to encourage the expansion of production of any non-basic agricultural commodity, he shall make public announcement thereof and he shall so use the funds made available under section 32 of this Act or otherwise made available to him for the disposal of agricultural commodities, through a commodity loan, purchase, or other operations, taking into account the total funds available for such purpose for all commodities so as to support a price for the producers of any such commodity with respect to which such announcement was made of not less than 85 per centum of the parity or comparable price therefor . . . Any such commodity loan, purchase, or other operation which is undertaken shall be continued until the Secretary has given sufficient public announcement to permit the producers of such commodity to make a readjustment in the production of the commodity. For the purposes of this section, commodities other than cotton, corn, wheat, tobacco, and rice shall be deemed to be non-basic commodities.

Section 32 Administrative Expense Limitation (4 percent)
(P.L. 427 - 77th Cong. Jan. 31, 1942, 56 Stat. 41)

This is permanent authority for expending Section 32 funds for the administration of (1) section 32 activities: (2) the Agricultural Marketing Agreement Act of 1937, as amended; and (3) those sections of the Agricultural Adjustment Act of 1933 which were reenacted and amended by the Agricultural Marketing Agreement Act of 1937. The maximum limitation was raised from 3 percent to 4 percent.

In the administration of section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act and for other purposes", approved August 24, 1935 (49 Stat. 774), as amended, and the Agricultural Marketing Agreement Act of 1937, as amended, and those sections of the Agricultural Adjustment Act (of 1933), as amended, which were reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, the aggregate amount expended in any fiscal year, beginning with the fiscal year ending June 30, 1942, for administrative expenses in the District of Columbia, including regional offices, and in the several States (not including the expenses of county and local committees) shall not exceed 4 per centum of the total amount available for such fiscal year for carrying out the purpose of said Acts.

Federal Surplus Commodities Corporation Continued Until June 30, 1945
(P.L. 634 - 77th Cong. June 27, 1942, 56 Stat. 461)

The Federal Surplus Commodities Corporation was chartered by the State of Delaware on October 4, 1933, without specific authority of any Federal statute (19 Comp. Gen. 537, 541). Express acknowledgment of its status as an agency of the United States was first shown by the Congress in the act of June 28, 1937 (50 Stat. 323; 15 U. S. C. 713c) which continue the Corporation as an agency under the Secretary of Agriculture.

The Corporation was created as an essential part of the Government's program for relieving the national economic emergency of the early 1930's. During the 11 years of its active life, the Corporation engaged in the following major programs:

1. Farm products, dairy products, and fuel were purchased to absorb price-depressing surplus production. This surplus was diverted from commercial channels and distributed to needy families by State relief organizations.

2. A wheat loan fund was designed to aid distribution and exportation of stocks of wheat in excess of a normal reserve.

3. A wheat and flour export fund aided in financing surplus wheat and flour operations and disposing of the surplus outside the United States.

4. The Northeastern Timber Salvage Administration was organized in November 1938, to salvage storm-damaged timber in the northeastern section of the United States.

5. A school-lunch program aided in the distribution of surplus food commodities.

6. A food-stamp plan was adopted as a method of disposing of surplus farm products.

7. Commodity Credit Corporation used the organization of Federal Surplus Commodities Corporation as an agency in the procurement, stockpiling and shipment of agricultural commodities immediately prior to and during the war period.

8. The Texas timber-salvage program was organized to salvage timber in Texas and adjoining States which had been damaged by a severe ice and sleet storm in January 1944.

The last-named program comprised the final activity of the Corporation. In January 1945, all operations of that program ceased. On March 14, 1947, the dissolution of Federal Surplus Commodities Corporation was completed.

The Federal surplus Commodities Corporation is hereby continued as an agency of the United States, under the direction of the Secretary of Agriculture until June 30, 1945.

Disposal of Surplus Agricultural Commodities, F.Y. 1943
(P.L. 674 - 77th Cong. July 22, 1942, 56 Stat. 694)

The Agriculture Appropriation Act, F.Y. 1943 provided for the reappropriation of 1941 and 1942 unobligated balances of Section 32 funds for fiscal year 1943, approximately \$150,000,000.

To enable the Secretary of Agriculture to further carry out the provisions of section 32, as amended, of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes",

approved August 24, 1935, and subject to all provisions of law relating to the expenditure of funds appropriated by such section, there is hereby reappropriated for the fiscal year 1943 the unobligated balances of the funds made available for the purposes of such section 32 for the fiscal years 1941 and 1942. Such sums shall be in addition to, and not in substitution for, other appropriations made by such section or for the purposes of such section".

Steagall Amendment, Amend and Extend
(P.L. 729 - 77th Cong. Oct. 2, 1942, 56 Stat. 768)

This law amended price policy legislation (Steagall Amendment) affecting use of Section 32 funds, extended the legislation until two years after the war, and increased support price to 90 percent.

"To support, during the continuance of the present war and until the expiration of the two-year period beginning with the 1st day of January immediately following the date upon which the President by proclamation or the Congress by concurrent resolution declares that hostilities in the present war have terminated, a price for the producers of any such commodity with respect to which such announcement was made of not less than 90 per centum of the parity or comparable price therefor".

Section 32 Funds for School Lunch & Milk Programs, F.Y. 1944
(P.L. 129, - 78th Cong. July 12, 1943, 57 Stat. 392)

This legislation, which authorized the appropriation for the Department of Agriculture for 1944, for the first time authorized a specific amount of Section 32 funds for the operation of the school lunch and school milk program. It also provided that such activities could be carried out without regard to the existence of a surplus condition.

"To enable the Secretary of Agriculture to further carry out the provisions of section 32, as amended, of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935, and subject to all provisions of law relating to the expenditure of funds appropriated by such section, during the fiscal year ending June 30, 1944, funds appropriated by or for the purposes of section 32 of said Act shall be available to the Secretary of Agriculture for the maintenance and operation of a school milk and lunch program under clause (2) of said section 32 in a sum not exceeding \$50,000,000: Provided, That such funds shall be available for such purposes during the fiscal year 1944 without regard to the requirement therein relating to the encouragement of domestic consumption but no part of such funds shall be available to defray the expenses of any activity heretofore carried on by the Works Projects Administration".

Section 32 Funds for Certain Claim Cases
(P.L. 367 - 78th Cong. June 28, 1944, 58 Stat. 450)

This proviso made Section 32 funds available in special claim cases involving certain Irish potato and commercial truck crop payments.

"Provided further, That the War Food Administrator is authorized and directed to make payments on Irish potatoes and commercial truck crops for fresh consumption under the 1943 Agricultural Conservation Program with respect to any farm if the War Food Administration determines that the producer would have been eligible for such payments except for the failure of such producer, because of negligence of an officer or agent of the Federal Government, to file on or before June 30, 1943, Form ACP-140, and such payments shall be made out of funds appropriated for the purposes of section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935 (49 Stat. 774)".

Section 32 Funds for School Lunch & Child Care Programs, F.Y. 1945
(P.L. 367 - 78th Cong. June 28, 1944, 58 Stat. 452)

The 1945 fiscal year appropriation for the Department of Agriculture under the appropriation item "Exportation and Domestic Consumption of Agricultural Commodities" provided the program authority and funds for carrying out the School Lunch Program for 1945. The legislation for the first time provided detailed requirements as to the conditions under which Federal assistance was to be provided.

"Not exceeding \$50,000,000 of the funds appropriated by and pursuant to this section may also be used during the fiscal year ending June 30, 1945, to provide food for consumption by children in nonprofit schools of high-school grade or under and for child-care centers through (a) the purchase, processing, and exchange, and the distribution of agricultural commodities and products thereof; or (b) the making of payments to such schools and centers or agencies having control thereof in connection with the purchase and distribution of agricultural commodities in fresh or processed form and, when desirable, for the processing and exchange of such commodities and their products; or (c) by such other means as the Secretary may determine: Provided, That funds appropriated for the purposes of this program shall be apportioned for expenditure in the States, Territories, possessions, and the District of Columbia in accordance with school enrollment and need, as determined by the Secretary, except that if program participation in any State does not require all funds so apportioned, the Secretary may reapportion such excess funds to such other States in consideration of need, as he may determine: Provided further, That benefits under this section to schools or child-care centers shall in no case exceed the cost of the agricultural commodities or products thereof delivered to the school or child care center as established by certificates executed by the authorized representative of the sponsoring agency: Provided further, That such sponsoring agency shall maintain accounts and

records clearly establishing costs of agricultural commodities or products furnished in the program and that such accounts and records shall be available for audit by representatives of the Department of Agriculture: Provided further, That these funds may be used for, or to make payments in connection with the purchase of such agricultural commodities and for exchanging, distributing, disposing, transporting, storing, processing, inspection, commission, and other incidental costs and expenses without regard to the provisions of section 3709 of the Revised Statutes and without regard to the 25 per centum limitation contained in this section: Provided further, That not more than 2 per centum of the funds made available under this amendment shall be used to provide food for children in child-care centers. The amount of funds used in any State during any fiscal year under this paragraph shall not exceed the total amount otherwise furnished for the same purpose by or on behalf of the State and local school authorities and other sponsoring agencies in such State including the value of donated services and supplies, as certified by the respective schools, care centers or agencies having control thereof."

Section 32 Funds For School Lunch & Child-care Programs, F.Y. 1946
(P.L. 52 - 79th Cong. May 5, 1945, 59 Stat. 157)

The Agriculture Appropriation Act, F.Y. 1946, approved the use of Section 32 funds for the continuance during the fiscal year 1946 of the School Lunch Program. The Committee stated in reporting this legislation - "This is the same amount, from the same source, as the program for the current fiscal year under substantially the same conditions. Many of the commodities included in the school-lunch program are no longer in surplus and for that reason are not authorized for inclusion in the general program carried on under the permanent appropriation. This has resulted in the inclusion of a specific provision in the bill authorizing the use of these moneys for the school-lunch program. However, there are still some surpluses for which the school-lunch program constitutes an outlet. These surpluses may be of temporary character, yet while they exist they constitute serious problems in maintaining a well balanced market for the output of the American farm. The school-lunch program, therefore, is of double utility and one which apparently commands the favor of a very substantial majority of Members of both Houses of Congress."

Not exceeding \$50,000,000 of the funds appropriated by and pursuant to section 32 as amended, of the Act of August 24, 1935 (7 U. S. C. 612c), may also be used during the current fiscal year to provide food for consumption by children in nonprofit schools of high-school grade or under and for child-care centers through (a) the purchase, processing, and exchange, and the distribution of agricultural commodities and products thereof; or (b) the making of payments to such schools and centers or agencies having control thereof in connection with the purchase and distribution of agricultural commodities in fresh or processed form and, when desirable, for the processing and exchange of such commodities and their products; or (c) by such other means as the Secretary may determine: Provided, That funds made available hereunder for a school lunch program shall be apportioned

for expenditure in the States, Territories, possessions, and the District of Columbia in accordance with school enrollment and need, as determined by the Secretary, except that if program participation in any State, Territory, possession, or the District of Columbia does not require all funds so apportioned, the Secretary may reapportion such excess funds to such other States, Territories, possessions, or the District of Columbia in consideration of need, as he may determine; provided further, That benefits under (b) of this paragraph to schools or child-care centers or other sponsoring agencies shall in no case exceed the cost of the agricultural commodities or products thereof purchased by the school or child-care center or other sponsoring agencies as established by certificates executed by the authorized representative of the sponsoring agency: Provided further, That such sponsoring agency shall maintain accounts and records clearly establishing cost of agricultural commodities or products furnished in the program and that such accounts and records shall be available for audit by representatives of the Department of Agriculture: Provided further, That these funds may be used for, or to make payments in connection with, the purchase of such agricultural commodities and for exchanging, distributing, disposing, transporting, storing, processing, inspection, commission, and other incidental costs and expenses without regard to the provisions of section 3709 of the Revised Statutes and without regard to the 25 per centum limitation contained in said section 32: Provided further, That not more than 2 per centum of the funds made available hereunder for a school lunch program shall be used to provide food for children in child-care centers. The amount of funds available hereunder for a school lunch program used in any State, Territory, possession or the District of Columbia during any fiscal year shall not exceed the total amount otherwise furnished for the same purpose by or on behalf of the school authorities and other sponsoring agencies in such State, Territory, possession, or District of Columbia including the value of donated services and supplies, as certified by the respective schools, care centers, or agencies having control thereof".

Additional Section 32 Funds for School Lunch, F.Y. 1946
(P.L. 269 - 79th Cong. Dec. 28, 1945, 59 Stat. 645)

"The limitation of \$50,000,000 for the objects and for the purposes of the item "School Lunch Program" contained in the Department of Agriculture Appropriation Act, 1946, is increased by \$7,500,000".

"National School Lunch Act", Section 9 - Donation of Commodities Purchased with Section 32 Funds.

(P.L. 396 - 79th Cong. June 4, 1946, 60 Stat. 231)

The National School Lunch Act of June 1946 provided basic authority for a continuing program of Federal assistance to the school lunch program. Section 9 of

that Act authorized the donation to nonprofit schools of commodities purchased under the authority of Section 32.

Commodities purchased under the authority of section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, for utilization in the school-lunch program under this Act as well as to other schools carrying out nonprofit school-lunch programs and institutions authorized to receive such commodities.

Section 32 Funds for Disposal of Surpluses, School Lunch & ACP Payments, F.Y. 1947

(P.L. 422 - 79th Cong. June 22, 1946, 60 Stat. 289)

This authority provided for reappropriation of F.Y. 1944, 1945, and 1946 unobligated balances for Section 32 funds; \$42,500,000 to Conservation and Use (ACP payments), \$75,000,000 for purposes of National School Lunch Act.

To enable the Secretary to further carry out the provisions of section 32, as amended, of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935 (7 U.S.C. 612c), and subject to all provisions of law relating to the expenditure of funds appropriated by such section 32, there is hereby reappropriated for the fiscal year 1947 the unobligated balances of the funds made available for the purposes of such section 32 for the fiscal years 1944, 1945, and 1946, less \$42,500,000, which is appropriated herein for "Conservation and use of agricultural land resources". Such sums shall be in addition to, and not in substitution for, other appropriations made by or for the purposes of such section 32: Provided, That not exceeding \$75,000,000 of the funds appropriated by and pursuant to such section 32 may also be used during the fiscal year 1947, without regard to the 25 per centum limitation contained in said section 32 to carry out the purposes and provisions of the National School Lunch Act, approved June 4, 1946 (Public Law 396) such amount to be exclusive of funds expended in accordance with the last sentence of section 9 of the National School Lunch Act.

Section 32 Funds for Disposal of Surpluses, & School Lunch, F.Y. 1948
(P.L. 266 - 80th Cong. June 30, 1947, 61 Stat. 550-1)

Under the Agriculture Appropriation Act, F.Y. 1948 \$44,000,000 of permanent appropriation was made available for 1948 Section 32 purposes; \$65,000,000 transferred to School Lunch Program; balance (\$40,023,930) returned to Treasury. The House Appropriations Committee report, fiscal year 1948 stated the following relative to

the use of Section 32 funds - "This fund is intended to provide relief in emergent periods when a surplus problem exists".

"Notwithstanding any other provision of section 32, Public Law Numbered 320, Seventy-fourth Congress, approved August 24, 1935, as amended (7 U.S.C., 1940 edition, 612c), not more than \$44,000,000 shall be available during the fiscal year ending June 30, 1948, for use in effectuating the purposes of that Act. To enable the Secretary to carry out the provisions of the National School Lunch Act of June 4, 1946 (Public Law 396), there is hereby made available \$65,000,000 of the funds appropriated for the fiscal year 1948 by section 32 of the Act approved August 24, 1935 (7 U.S.C. 612c), such amount to be without regard to the 25 per centum limitation contained in said section 32, and to be exclusive of funds expended in accordance with the last sentence of section 9 of the National School Lunch Act: Provided, That no part of such funds shall be used for nonfood assistance under section 5 of said Act. The remainder of the fund appropriated by said Act for the fiscal year 1948 is hereby rescinded effective July 1, 1947, and shall be carried to the surplus fund and covered into the Treasury immediately thereafter".

Section 32 Funds Used Under ECA Program
(P.L. 472 - 80th Cong., P.L. 535 - 81st Cong. Apr. 3, 1948,
62 Stat. 137, 64 Stat. 199)

Authority was provided in the Foreign Assistance Acts of 1948 and 1950, for the Secretary of Agriculture to dispose of surplus commodities to other Government agencies and to use section 32 funds to pay not to exceed 50 percent of the sales price therefor.

"Sec. 112 (f). Subject to the provisions of this section, but notwithstanding any other provision of law, in order to encourage utilization of surplus agricultural commodities pursuant to this or any other Act providing for assistance or relief to foreign countries, the Secretary of Agriculture, in carrying out the purposes of clause (1), section 32, Public Law 320, Seventy-Fourth Congress, as amended, may make payments, including payments to any government agency procuring or selling such surplus agricultural commodities, in an amount not to exceed 50 per centum of the sales price (basis free along ship or free on board vessel, United States ports), as determined by the Secretary of Agriculture, of surplus agricultural commodities. The rescission of the remainder of section 32 funds by the Act of July 30, 1947 (Public Law 266, Eightieth Congress), is hereby canceled and such funds are hereby made available for the purposes of section 32 for the fiscal year ending June 30, 1948".

Section 32 Funds for School Lunch - Limitation of the Use of
Section 32 Funds for Insulation Products, F.Y. 1949

(P.L. 712 - 80th Cong. June 19, 1948, 62 Stat. 526-7)

To enable the Secretary to carry out the provisions of the National School Lunch Act of June 4, 1946 (Public Law 396), there is hereby made available \$75,000,000 of the funds appropriated, for the fiscal year 1949 by section 32 of the Act approved August 24, 1935 (7 U.S.C. 612c), such amount to be without regard to the 25 per centum limitation contained in said section 32, and to be exclusive of funds expended in accordance with the last sentence of section 9 of the national School Lunch Act: Provided, That no part of such funds shall be used for non-food assistance under section 5 of said act.

Not to exceed \$500,000 of the appropriation made available by section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used to pay any subsidy, benefit, or indemnity to manufacturers of or dealers in insulation products.

Agricultural Act of 1948 - Accumulation and Use of Section 32 Funds
(P.L. 897 - 80th Cong. July 3, 1948, 62 Stat. 1247 and 1257)

Section 301 of the Agricultural Act of 1948 provided for accumulation up to \$300,000,000, of section 32 funds not currently required for program purposes.

Section 302 authorized non-storable non-basic commodities (except Irish potatoes) to be supported only by means of section 32 funds and the Commodity Credit Corporation reserve for the postwar price support of agriculture. (Sec. 302 was later repealed by the Agricultural Act of 1949, 63 Stat. 1057).

Section 32 Funds

Sec. 301. Section 32, as amended, of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935 (U.S.C. Title 7, sec. 612c), is amended by adding at the end thereof the following: "The sums appropriated under this section shall, notwithstanding the provisions of any other law, continue to remain available for the purposes of this section until expended; but any excess of the amount remaining unexpended at the end of any fiscal year over \$300,000,000 shall, in the same manner as though it had been appropriated for the service of such fiscal year, be subject to the provisions of section 3620 of the Revised Statutes (U.S.C., title 31, sec. 712), and section 5 of the Act entitled 'An Act making appropriation for the legislative, executive, and judicial expenses of the Government for the year ending June thirtieth, eighteen hundred and seventy-five, and for other purposes' (U. S. C. title 31, sec. 713)."

Sec. 302. (c) ...The Commodity Credit Corporation shall not carry out any operation to support the price of any nonbasic agricultural

commodity (other than Irish potatoes) which is so perishable in nature as not to be reasonably storable without excessive loss or excessive cost; but any such operation may be carried out by the Secretary through other means available to him such as those provided by section 32, Public Law Numbered 320, Seventy-fourth Congress, approved August 24, 1935, as amended: Provided, That the foregoing provisions shall not be construed to prohibit the Commodity Credit Corporation from supporting the price of any perishable nonbasic agricultural commodity by a loan, purchase, payment, or other operation undertaken with respect to a storable commodity processed from such perishable nonbasic agricultural commodity: Provided further, That the Secretary, in carrying out programs with respect to perishable and nonperishable commodities under section 32 of Public Law Numbered 320, Seventy-fourth Congress, approved August 24, 1935, as amended, and section 6 of the National School Lunch Act, may utilize the services and facilities of the Commodity Credit Corporation (including but not limited to procurement by contract) and make advance payments to it: And provided further, That in any fiscal year, if at the end of the preceding fiscal year the sums appropriated under said section 32 and remaining unexpended do not exceed \$300,000,000, Commodity Credit Corporation may, as provided in section 302 (a) of this Act, carry out any operation to support the price of any such perishable, nonbasic agricultural commodity to the extent that the reserve for the postwar price support of agriculture established pursuant to the First Supplemental Appropriation Rescission Act of 1946 (60 Stat. 8) and other funds appropriated for agricultural price support are sufficient to cover any losses which may be incurred in connection with such operation."

Department of Agriculture Appropriation Act, 1950
(P.L. 146 - 81st Cong. June 29, 1949, 63 Stat. 343)

This provision limited the use of section 32 funds for insulation products.

"Not to exceed \$150,000 of the appropriation made available by section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used to pay any subsidy, benefit, or indemnity to manufacturers of or dealers in insulation products."

International Wheat Agreement Act of 1949, as amended
(P.L. 81 - 421, October 27, 1949, 63 Stat. 945)

Section 32 funds may be used pursuant to the International Wheat Agreement Act.

Sec. 2. ...Nothing herein shall be construed to preclude the Secretary of Agriculture, in carrying out programs to encourage the exportation of agricultural commodities and products thereof pursuant to section 32 of Public Law 320, Seventy-fourth Congress, as amended, from utilizing funds available for such programs in such manner as, either separately or jointly with the Commodity Credit Corporation, to exercise the rights, obtain the benefits, and fulfill all or any part of the obligations of the United States under the International Wheat Agreement or to preclude the Commodity Credit Corporation in otherwise carrying out wheat and wheat-flour export programs as authorized by law.

Agricultural Act of 1949
(P.L. 439 - 81st Cong. Oct. 31, 1949, 63 Stat. 1054)

This Act authorizes the use of Section 32 funds for price support and CCC services and facilities for section 32 programs; also amends Section 32 to include the "principal use" provision.

Sec. 401. (a) The Secretary shall provide the price support authorized or required herein through the Commodity Credit Corporation and other means available to him.

Sec. 404. The Secretary, in carrying out programs under section 32 of Public Law Number 320, 74th Congress, approved August 24, 1935, as amended, and section 6 of the National School Lunch Act may utilize the services and facilities of the Commodity Credit Corporation (including but not limited to procurement by contract), and make advance payments to it.

Sec. 411. Section 32, as amended, of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935 (U.S.C., title 7, sec. 612c), is amended by inserting before the last sentence thereof the following: "The sums appropriated under this section shall be devoted principally to perishable nonbasic agricultural commodities (other than those designated in title II of the Agricultural Act of 1949) and their products."

General Appropriation Act of 1951
(P.L. 759 - 81st Cong. Sept. 6, 1950, 64 Stat. 765-767)

This Act rewrote and brought up to date Section 3679, the so-called Antideficiency Act. It was made clear in the revision of this act that Section 32 funds would not be subject to apportionment (other than funds for administrative expenses).

Sec. 1211. Section 3679 of the Revised Statutes, as amended, is hereby further amended to read as follows: ... (2) Any appropriation available to an agency, which is required to be apportioned under subsection (c) of this section, shall be apportioned or reapportioned in writing by the Director of the Bureau of the Budget. Nothing in this subsection shall be so construed as to interfere with the initiation, operation, and administration of agricultural price support programs and no funds (other than funds for administrative expenses) available for price support, surplus removal, and available under Section 32 of the Act of August 24, 1935, as amended (7 U. S. C. 612c), with respect to agricultural commodities shall be subject to apportionment pursuant to this section. The provisions of this section shall not apply to any corporation which obtains funds for making loans, other than paid in capital funds without legal liability on the part of the United States.

Section 32, Prohibition Against Export Payments Under MSA
(P.L. 547 - 82nd Cong. July 15, 1952, 66 Stat. 654)

This proviso in the First Supplemental Appropriation Act, F.Y. 1953 prohibited the use of Section 32 funds for export payments on commodities to MSA countries purchased with MSA funds.

Provided further, That no part of such funds shall be expended for the purchase of agricultural products or products produced from agricultural products not declared to be in short supply in the United States by the Secretary of Agriculture, at less than the prevailing market price for such commodity within the United States or if obtained from the Commodity Credit Corporation stocks, at less than the support price of such commodity including handling and storage costs, but nothing in this proviso shall be construed to prevent the operation of export payment programs, other than those financed from funds contained in this chapter, pursuant to section 32 of the Act of August 24, 1935 (Public Law 320, Seventy-fourth Congress), as amended, or to prevent the sale at less than the support price, including handling storage costs, of any commodity from Commodity Credit Corporation stocks which has substantially deteriorated in quality or as to which there is danger of loss or waste through deterioration or spoilage.

Section 32 - Operations with Respect to Irish Potatoes and
Commodities Receiving Price Support Under Title II
(P.L. 290 - 83rd Cong. January 30, 1954 68 Stat. 4)

Sec. 5. (a) Section 5 of the joint resolution entitled "Joint resolution relating to cotton and peanut acreage allotments and marketing quotas under the Agricultural Adjustment Act of 1938, as amended, and to price support for the potatoes" (7 U. S. C. 1450), is amended by inserting at the end thereof the following: "Operations with respect to Irish potatoes authorized by section 32 of the Act entitled 'An Act to amend the Agricultural Adjustment Act and for other purposes' (7 U. S. C. 612c), shall not be deemed to be prohibited by this section or, unless marketing quotas are in effect, to be required by section 201 of the Agricultural Act of 1949 (7 U. S. C. 1446)."

(b) The parenthetical phrase contained in the sentence preceding the last sentence of section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes" (7 U.S.C. 612c), is amended to read as follows: "Other than those receiving price support under title II of the Agricultural Act of 1949)."

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Section 32 to make corn meal and wheat flour available to needy persons.
(P.L. 311 - 84th Congress August 9, 1955 69 Stat. 608)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is hereby authorized upon specific request of the Governor of any State during the period commencing with the date of this Act and ending June 30, 1957, to make available, pursuant to clause (2) of section 32 of the Act approved August 24, 1935 (7 U.S.C. 612c) for distribution by State agencies, other than institutions and schools, directly to families and persons determined by appropriate State or local public welfare agencies to be in need, wheat flour and corn meal in such quantities as the Secretary of Agriculture determines can be effectively distributed and utilized within such period without regard to the requirement contained in said section 32, that such funds be devoted principally to perishable nonbasic agricultural commodities and their products, but not more than \$15,000,000 of such funds shall be devoted in any fiscal year to carrying out this Act. Such flour and meal shall be made available by the Secretary upon such conditions as he deems to be in the public interests, to such State agency or agencies as may be designated by the proper State authority and approved by the Secretary, and at one or more central locations in such State.

*Section 32 - To Further Encourage the Distribution of
*Fishery Products, and For Other Purposes.
(P.L. 466 - 83rd Cong. 68 Stat. 377, July 1, 1954)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of August 11, 1939 (53 Stat. 1411), is hereby amended to read as follows:

"Sec. 2. (a) The Secretary of Agriculture shall transfer to the Secretary of the Interior each fiscal year, beginning with the fiscal year commencing July 1, 1954, and ending on June 30, 1957, from moneys made available to carry out the provisions of section 32 of such Act of August 24, 1935, an amount equal to 30 per centum of the gross receipts from duties collected under the customs laws on fishery products (including fish, shellfish, mollusks, crustacea, aquatic plants and animals, and any products thereof, including processed and manufactured products), which shall be maintained in a separate fund and used by the Secretary of the Interior (1) to promote the free flow of domestically produced fishery products in commerce by conducting a fishery educational service and fishery technological, biological and related research programs, the moneys so transferred to be also available for the purchase of other acquisition, construction, equipment, operation, and maintenance of vessels or other facilities necessary for conducting research as provided for in this section and (2) to develop and increase markets for fishery products of domestic origin and (3) to conduct any biological, technological, or other research pertaining to American fisheries.

"(b) For the purposes of this section, any agency of the United States, or any corporation wholly owned by the United States, is authorized to transfer, without reimbursement or transfer of funds, any vessels or equipment excess to its needs required by the Secretary of the Interior for the activities, studies, and research authorized herein.

"(c) In carrying out the purposes and objectives of this section, the Secretary of the Interior is directed as far as practicable to cooperate with other appropriate agencies of the Federal Government, with State or local governmental agencies, private agencies, organizations, or individuals, having jurisdiction over or an interest in fish or fishery commodities and he is authorized to appoint an advisory committee of the American fisheries industry to advise him in the formulation of policy, rules and regulations pertaining to requests for assistance and other matters.

"(d) The Secretary of the Interior is further authorized to retransfer any of the funds not to exceed \$1,500,000 to be made available under this section to the Secretary of Agriculture to be used for the purposes specified in section 1 of this act, and only such funds as are thus transferred shall be used for the purposes specified in section 1 of this Act with respect to domestically produced fishery products.

"(e) The separate fund created for the use of the Secretary of the Interior under section 2 (a) of this Act and the annual accruals thereto shall be available until expended, except (1) that not more than \$3,000,000 be spent in any fiscal year and (2) that the balance of the fund shall not exceed \$5,000,000 at the end of any fiscal year, and the Secretary of the Interior shall retransfer the funds in excess of said \$5,000,000 balance to the Secretary of Agriculture to be used for the purposes specified in section 32 of the Act of 1935 (49 Stat. 774; 7 U.S.C. 612c) as amended.

"(f) The Secretary of the Interior shall make a report to the appropriate committees of Congress annually on the use of the separate fund created under Section 2 of this Act."

Section 32 - Appropriation to Supplement Section 32 Funds
(P.L. 540 - 84th Congress 70 Stat. 188, May 28, 1956)

Sec. 205. There is hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1957, the sum of \$500,000,000 to enable the Secretary of Agriculture to further carry out the provisions of section 32, Public Law 320, Seventy-fourth Congress, as amended (7 U.S.C. 612c) subject to all provisions of law relating to the expenditure of funds appropriated by such section, except that up to 50 per centum of such \$500,000,000 may be devoted during any fiscal year to any one agricultural commodity or the products thereof.

Section 32 - Fish and Wildlife Act of 1956
(P.L. 1024 - 84th Congress 70 Stat. 1119, August 8, 1956)

Provides permanent authority for the transfer to Interior of 30% of customs receipts collected on fishery products to be available to Interior until expended.

"Sec. 12 (a) The authorization for the transfer of certain funds from the Secretary of Agriculture to the Secretary of the Interior and their maintenance in a separate fund as contained in section 2 (a) of the Act of August 11, 1939, as amended July 1, 1954 (68 Stat. 376), shall be continued for the year ending June 30, 1957, and each year thereafter.

"(b) Subsection (e) of section 2 of the aforesaid Act of August 11, 1939, as amended, is hereby amended to read as follows:

" '(e) The separate fund created for the use of the Secretary of the Interior under section 2 (a) of this Act and the annual accruals thereto shall be available for each year hereafter until expended by the Secretary.' "

Department of Interior and Related Agencies Appropriation Acts.
(74 Stat. 104)

Fiscal Years 1958, 1959, 1960, and 1961

Section 32 Commodities to be donated to Trust Territory

Provided further, That notwithstanding the provisions of any law, the Trust Territory of the Pacific Islands is authorized to receive, during the current fiscal year from the Department of Agriculture for distribution on the same basis as domestic distribution in any State, Territory, or possession of the United States, without exchange of funds, such surplus food commodities as may be available pursuant to section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c), and section 416 of the Agricultural Act of 1949, as amended (7 U.S.C. 1431).

Department of Agriculture and Farm Credit Administration Appropriation Act, 1959
(P.L. 85-459 June 13, 1958, 72 Stat. 194)

The House Committee Report includes the following: ... The Committee feels very strongly that everything possible must be done to encourage the use of Section 32 funds to support prices of perishable products. It also feels that Section 32 must be utilized as fully as possible to provide support for the school lunch program. This is especially necessary in view of the fact that it has not been possible for Federal appropriations to keep pace with the growth in the number of school children participating in the program and the rise in food costs. . .

School Lunch Program

For necessary expenses to carry out the provisions of the National School Lunch Act (42 U.S.C. 1751-1960), \$110,000,000: Provided, That no part of this appropriation shall be used for nonfood assistance under section 5 of said Act: Provided further, That \$35,000,000 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935, for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act, such additional funds to be used for the general purposes of section 32.

Act of July 2, 1958
(P.L. 85-483, 72 Stat. 287)

Section 32 Commodities may be donated to nonprofit summer camps for children.

Sec. 2. Public Law 165, Seventy-fifth Congress, as amended, is amended by adding at the end thereof the words "and for use in the nonprofit summer camps for children."

An Act to extend and amend the
Agricultural Trade Development and Assistance Act of 1954
(P.L. 85-931, September 6, 1958, 70 Stat. 200)

Section 32 commodities may be donated to any area under the jurisdiction or administration of the United States.

Sec. 9. Notwithstanding any other provision of law (1) those areas under the jurisdiction or administration of the United States are authorized to receive from the Department of Agriculture for distribution on the same basis as domestic distribution in any State, Territory, or possession of the United States, without exchange of funds, such surplus commodities as may be available pursuant to clause (2) of section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c), and section 416 of the Agricultural Act of 1949, as amended (7 U.S.C. 1431); and (2) the Commodity Credit Corporation is authorized to purchase products of oil seeds, and edible oils and fats and the products thereof in such form as may be needed for donation abroad as provided in the following sentence. Any such commodities or products if purchased shall be donated to nonprofit voluntary agencies registered with the Department of State, other appropriate agencies of the Federal Government or international organizations for use in the assistance of needy persons outside the United States. Commodity Credit Corporation may incur such additional costs with respect to such oil as it is authorized to incur with respect to food commodities disposed of under section 416 of the Agricultural Act of 1949.

Department of Agriculture and
Farm Credit Administration Appropriation Act 1960
(P.L. 86-80 July 8, 1959 73 Stat. 173)

The Conference Report includes the following: "...The conferees direct that the full amount of these transferred funds be used to purchase foods necessary to provide balanced diets for the school children. In making such purchases, attention should be given to the needs of the schools for red meats and other high protein foods. As far as possible, foods in surplus supply should be given priority. The necessary foods should be supplied from these funds, however, regardless of whether or not they are determined by the Secretary to be in surplus supply.

School Lunch Program

For necessary expenses to carry out the provisions of the National School Lunch Act (42 U.S.C. 1751-1960), \$110,000,000: Provided, That no part of this appropriation shall be used for nonfood assistance under section 5 of said Act: Provided further, That \$43,657,248 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935, for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act.

Department of Agriculture and
Farm Credit Administration Appropriation Act, 1961
(P.L. 86-832, June 29, 1960, 74 Stat. 238)

For necessary expenses to carry out the provisions of the National School Lunch Act (42 U.S.C. 1751-1760), \$110,000,000: Provided, That no part of this appropriation shall be used for nonfood assistance under section 5 of said Act: Provided further, That \$43,000,000 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935, for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act.

Mutual Security Act of 1959
(P.L. 86-108, Approved July 24, 1959, 73 Stat. 250)

The Conference Report contained the following comment: "The House conferees . . . were impressed with the argument that it was desirable that surplus food commodities or the products thereof made available either for grant or for sale for foreign currencies abroad under section 402 of the Mutual Security Act or any other act be provided to the maximum extent practicable to eligible domestic recipients under already authorized relief feeding programs in order to eliminate any possibility that needy people in the United States should be at any disadvantage compared to people of foreign nations with respect to the distribution of such commodities. The provision does not authorize any additional funds for domestic relief purposes. It relates only to the designation of commodities which would be available under already existing authority and available funds for such domestic relief programs.

The committee of conference recognized that too rigid a requirement might impede the effective disposal of surplus food commodities abroad as well as unnecessarily interfere with the existing procedures for domestic distribution. The language of the provision as agreed to allows sufficient flexibility in the administration of the program and at the same time indicates the intent of Congress that our own people should not be at any disadvantage in sharing surplus food commodities."

(c) In section 402, which relates to earmarking of funds, strike out "1959" in the first sentence and substitute "1960"; in the same sentence, after the words "foreign currencies" insert the words "or the grant", and at the end of the section, add the following new sentences: "Surplus food commodities or products thereof made available for transfer under this Act (or any other Act) as a grant or as a sale, for foreign currencies may also be made available to the maximum extent practicable to eligible domestic recipients pursuant to section 416 of the Agricultural Act of 1949, as amended (7 U.S.C. 1431,) or to needy persons within the United States pursuant to clause (2) or section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c). Section 416 of the Agricultural Act of 1949, as amended (7 U.S.C. 1431), is amended by inserting 'whether in private stocks or' after 'commodities' the first time that word appears."

Department of Agriculture and Farm Credit Administration Appropriation Acts

The following language in the annual appropriation acts authorized transfers to the Foreign Agricultural Services as follows: 1960 - \$2,493,000; 1961 - \$2,539,000.

For necessary expenses for the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761-1768), and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, . . . Provided further, That, in addition, not to exceed of the funds appropriated by section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c), shall be merged with this appropriation and shall be available for all expenses of the Foreign Agricultural Service in carrying out the purposes of said section 32.

Second Supplemental Appropriation Act, 1961
(P.L. 86-722, September 8, 1960, 74 Stat. 821)

Foreign Agricultural Service

For an additional amount for "Salaries and Expenses," \$137,500; and in addition, \$100,000 of the funds appropriated by section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c) shall be merged with this appropriation and shall be available for all expenses of the Foreign Agricultural Service in carrying out the purposes of said section 32.

Agricultural Trade Development and Assistance Act of 1954, as amended
(P.L. 86-341, September 21, 1959)

Section 306 (a new section under Title III) authorizes the establishment of a permissive 2-year food stamp plan for the distribution of \$250 million worth of surplus food per year to needy people in the United States.

"Sec. 306. (a) In order to promote the general welfare, raise the levels of health and of nourishment for persons whose incomes prevent them from enjoying adequate diets, and dispose in a beneficial manner of food commodities acquired by the Commodity Credit Corporation or the Department of Agriculture in carrying out price support operations or diverted from the normal channels of trade and commerce under section 32 of the Act of August 24, 1935, as amended, the Secretary of Agriculture (in this section referred to as the 'Secretary') is hereby authorized to promulgate and put into operation a program to distribute to needy persons in the United States, including needy Indians, through a food stamp system such surplus food commodities. Such program shall provide for the distribution of such surplus food commodities only during the period beginning February 1, 1960 and ending January 31, 1962. The cost of such program, including the cost to the Federal Government of acquiring, storing, and handling such surplus food commodities, shall not exceed \$250,000,000 in any 12-month period beginning February 1 and ending January 31.

"(b) In carrying out such program, the Secretary shall --

"(1) distribute surplus food made available by the Secretary for distribution under this program only when requested to do so by a State or political subdivision thereof;

"(2) issue, or cause to be issued, pursuant to subsection (c), food stamps redeemable by eligible needy persons for such types and quantities of surplus food as the Secretary shall determine;

"(3) distribute surplus food in commercially packaged form, preferably through normal channels of trade;

"(4) establish standards under which, pursuant to subsection (c), the welfare authorities of any State or political subdivision thereof may participate in the food stamp plan for the distribution of surplus foods to the needy;

"(5) consult the Secretary of Health, Education, and Welfare, and the Secretary of Labor, in establishing standards for eligibility for surplus foods and in the conduct of the program generally to assure achievement of the goals outlined in subsection (a) of this section; and

"(6) make such other rules and regulations as he may deem necessary to carry out the purpose of this section.

"(c) The Secretary shall issue, to each welfare department or equivalent agency of a State or political subdivision requesting the distribution of surplus food under subsection (b)(1), food stamps for each kind of surplus food to be distributed, in amounts based on the total amount of surplus food to be distributed and on the total number of needy persons in the various States and political subdivisions eligible to receive such food. The food stamps shall be issued by each such welfare department or equivalent agency to needy persons receiving welfare assistance, or in need of welfare assistance but ineligible because of State or local law, and shall be redeemable by such needy persons at local distribution points to be determined by the Secretary under subsection (b)(3).

"(d) Receipt by any person of benefits under this section shall not be deemed to be income or resources under the provisions of the Social Security Act or any other Federal legislation pertaining to the security of the aged, blind, disabled, dependent children, unemployed, or other similar groups. Any State or local subdivision thereof which decreases the cash or other assistance extended to any person or group as a consequence of the assistance made available under this section shall be ineligible for further participation under this section.

"(e) Surplus foods to be distributed under this section shall be limited to surplus foods acquired under the Agricultural Act of 1949 or diverted from the normal channels of trade under section 32 of Public Law 320, Seventy-fourth Congress.

"(f) For the purposes of this section, a needy person is anyone receiving welfare assistance (financial or otherwise) from the welfare department or equivalent agency of any State or political subdivision thereof, or who is, in the opinion of such agency or agencies, in need of welfare assistance but is ineligible to receive it because of State or local law.

"(g) The Secretary of Agriculture, in consultation with the Secretary of Health, Education, and Welfare and the Secretary of Labor, shall make a study of, and shall report to Congress within six months after the date of enactment of this section, on the feasibility of, the costs of, and the problems involved in, extending the scope of the food stamp plan established by this section to include persons receiving unemployment compensation, receiving old-age and survivors insurance (social security) pensions, and other low-income groups not eligible to receive food stamps under this section.

"(h) There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this section."

Section 307 (a new section under Title III.) requires the Secretary to make any surplus food commodity available for domestic relief in such quantities as he determines are reasonably necessary before making such quantities available for sale under Title I.

"Sec. 307. Whenever the Secretary of Agriculture determines under section 106 of this Act that any food commodity is a surplus agricultural commodity, insofar as practicable he shall make such commodity available for distribution to needy families and persons in the United States in such quantities as he determines are reasonably necessary before such commodity is made available for sale for foreign currencies under Title I of this Act."

Act of September 13, 1960
(P.L. 86-756, 74 Stat. 899)

Use of section 32 foods in training students in home economics.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That schools receiving surplus foods pursuant to clause (3) of section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) or section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c) are authorized to use such foods in training students in home economics.

Section 32 - Act of August 24, 1935 as amended
(P.L. 320 74th Congress as amended 7 U.S.C.-612c)

Sec. 32. There is hereby appropriated for each fiscal year beginning with the fiscal year ending June 30, 1936, an amount equal to 30 per centum of the gross receipts from duties collected under the customs laws during the period January 1, to December 31, both inclusive, preceding the beginning of each such fiscal year. Such sums shall be maintained in a separate fund and shall be used by the Secretary of Agriculture only to (1) encourage the exportation of agricultural commodities and products thereof by the payment of benefits in connection with the exportation thereof or of indemnities for losses incurred in connection with such exportation or by payments to producers in connection with the production of that part of any agricultural commodity required for domestic consumption; (2) encourage the domestic consumption of such commodities or products by diverting them by the payment of benefits or indemnities or by other means, from the normal channels of trade and commerce or by increasing their utilization through benefits, indemnities, donations, or by other means, among persons in low income groups as determined by the Secretary of Agriculture; and (3) reestablish farmer's purchasing power by making payments in connection with the normal production of any agricultural commodity for domestic consumption. Determinations by the Secretary as to what constitutes diversion and what constitutes normal channels of trade and commerce and what constitutes normal production for domestic consumption shall be final.

The sums appropriated under this section shall be expended for such one or more of the above-specified purposes, and at such times, in such manner, and such amounts as the Secretary of Agriculture finds will effectuate substantial accomplishment of any one or more of the purposes of this section. Notwithstanding any other provision of this section, the amount that may be devoted, during any fiscal year after June 30, 1939, to any one agricultural commodity or the products thereof in such fiscal year, shall not exceed 25 per centum of the funds available under this section for such fiscal year. The sums appropriated under this section shall be devoted principally to perishable nonbasic agricultural commodities (other than those receiving price support under title II of the Agricultural Act of 1949) and their products. The sums appropriated under this section shall, notwithstanding the provisions of any other law, continue to remain available for the purposes of this section until expended; but any excess of the amount remaining unexpended at the end of any fiscal year over \$300,000,000 shall, in the same manner as though it had been appropriated for the service of such fiscal year, be subject to the provisions of section 3690 of the Revised Statutes (U.S.C., Title 31, sec. 712) and section 5 of the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June thirtieth, eighteen hundred and seventy-five and for other purposes."

Department of Agriculture and Related Agencies Appropriation Act, 1962
(P.L. 87-112, July 26, 1961, 75 Stat. 231; 75 Stat. 232)

School Lunch Program

For necessary expenses to carry out the provisions of the National School Lunch Act (42 U.S.C. 1751-1760), \$125,000,000: Provided, That no part of this appropriation shall be used for nonfood assistance under section 5 of said Act: Provided further, That \$45,000,000 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935, for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act: Provided further, That \$10,000,000 of this appropriation shall be available for assistance under section 6 of the National School Lunch Act, in addition to amounts normally expended for commodity procurement under that section, \$2,500,000 of which may be distributed to provide special assistance to needy schools which because of poor local economic conditions (1) have not been operating a school lunch program or (2) have been serving free or at substantially reduced prices at least 20 percent of the lunches to the children.

Foreign Agricultural Service

Salaries and Expenses

For necessary expenses for the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed \$35,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$12,457,000: Provided, That not less than \$255,000 of the funds contained in this appropriation shall be available to obtain statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis: Provided further, That, in addition, not to exceed \$3,117,000 of the funds appropriated by section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c), shall be merged with this appropriation and shall be available for all expenses of the Foreign Agricultural Service.

Agricultural Act of 1961
(P. L. 87-126, August 8, 1961)

To improve and protect farm prices and farm income, to increase farmer participation in the development of farm programs, to adjust supplies of agricultural commodities in line with the requirements therefor, to improve distribution and expand exports of agricultural commodities, to liberalize and extend farm credit services, to protect the interest of consumers; and for other purposes.

TITLE I -- SUPPLY ADJUSTMENT AND PRICE STABILIZATION

Section 101. This title may be cited as the "Agricultural Enabling Amendments Act of 1961".

Subtitle A--Consultation on Agricultural Programs

Section 102. (a) Notwithstanding any other provision of law, whenever the Secretary of Agriculture determines that additional legislative authority is necessary to develop new agricultural programs involving supply adjustments or marketing regulations through marketing orders, marketing quotas, or price support programs with respect to any agricultural commodity, or to make substantial revisions in any existing agricultural legislation or programs, he may consult and advise with farmers, farm organizations, and appropriate commodity organizations, if any, for the commodity involved, to review the problems involved, the need for new legislation, and the provisions which should be included in any such proposed legislation.

(b) In addition, whenever and to the extent he deems such action necessary or desirable, the Secretary of Agriculture may consult and advise with any person or group of persons, or organizations, including farmers, handlers, processors, or others connected with the production, processing, handling, or use of the commodity involved, with respect to the problems involved and need for legislation and the provisions which should be included in any such proposed legislation.

(c) In order that the Secretary of Agriculture may be assured of being able to obtain the advice of any such person or organization, he is authorized, whenever he determines such action necessary, to pay for each day's attendance at meetings and while traveling to and from such meetings, transportation expenses and in lieu of subsistence, a per diem in the amount authorized under the Travel Expense Act of 1949 for Federal employees. No salary or other compensation shall be paid.

Section 103. If the Secretary of Agriculture, after such consultation and receipt of such advice as provided in section 102 of this Act, determines that additional legislative authority is necessary to develop agricultural programs involving supply adjustments or marketing regulations through the use of marketing orders, marketing quotas or price-support programs, he shall formulate specific recommendations in the form of proposed legislation which shall be submitted to the Congress together with a statement setting forth the purpose and need for such proposed legislation.

Section 104. Nothing in this Act shall be deemed to limit the authority of the Secretary of Agriculture under other provision of law or to establish or consult with advisory committees.

Subtitle D--Marketing Orders

Section 141. The Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended as follows:

(1) Section 2 is amended by adding at the end thereof a new paragraph (5) reading as follows:

"(5) Through the exercise of the power conferred upon the Secretary of Agriculture under this title, to continue for the remainder of any marketing season or marketing year, such regulation pursuant to any order as will tend to avoid a disruption of the orderly marketing of any commodity and be in the public interest, if the regulation of such commodity under such order has been initiated during such marketing season or marketing year on the basis of its need to effectuate the policy of this title."

(2) Section 8a(5) is amended to read as follows:

"(5) Any person exceeding any quota or allotment fixed for him under this title by the Secretary of Agriculture and any other person knowingly participating or aiding in the exceeding of such quota or allotment shall forfeit to the United States a sum equal to the value of such excess at the current market price for such commodity at the time of violation, which forfeiture shall be recoverable in a civil suit brought in the name of the United States."

(3) Section 8c(2) is amended--

(a) by inserting "(A)" after "applicable only to";

(b) by inserting after "grapefruit," where it first appears "cherries, apples, or cranberries,";

(c) by striking out "and Idaho, and not including fruits, other than olives and grapefruit, for canning or freezing)" and inserting in lieu thereof "Idaho, New York, Michigan, Maryland, New Jersey, Indiana, California, Maine, Vermont, New Hampshire, Rhode Island, Massachusetts, and Connecticut, and not including fruits for canning or freezing other than olives, grapefruit, cherries, cranberries, and apples produced in the States named above except Washington, Oregon, and Idaho)";

(d) by striking out "soybeans,"; and

(e) by striking the period at the end and inserting in lieu thereof the following: "; and (B) any agricultural commodity (except honey, cotton, rice, wheat, corn, grain sorghums, oats, barley, rye, sugarcane, sugarbeets, wool, mohair, livestock, soybeans, cottonseed, flaxseed, poultry (but not excepting turkeys), eggs (but not excepting turkey hatching eggs), fruits and vegetables for canning or freezing, and apples), or any regional or market classification thereof, not subject to orders under (A) of this paragraph, but not the products

(including canned or frozen commodities or products) thereof. No order issued pursuant to this section shall be effective as to cherries, apples, or cranberries for canning or freezing unless the Secretary of Agriculture determines, in addition to other required findings and determination that the issuance of such order is approved or favored by processors who, during a representative period determined by the Secretary, have engaged in canning or freezing such commodity for market and have frozen or canned more than 50 per centum of the total volume of the commodity to be regulated which was canned or frozen within the production area, or marketed within the marketing area, defined in such order, during such representative period. No order issued pursuant to this section shall be applicable to peanuts produced in more than one of the following production areas: the Virginia-Carolina production area, the Southeast production area; and the Southwest production area. If the Secretary determines that the declared policy of the title will be better achieved thereby (i) the commodities of the same general class and used wholly or in part for the same purposes may be combined and treated as a single commodity and (ii) the portion of an agricultural commodity devoted to or marketed for a particular use or combination of uses, may be treated as a separate agricultural commodity. All agricultural commodities and products covered hereby shall be deemed specified herein for the purposes of section 8c (6) and (7) of this title."

(4) Section 8c(19) is amended to read as follows:

"(19) For the purpose of ascertaining whether the issuance of an order is approved or favored by producers or processors, as required under the applicable provisions of this title, the Secretary may conduct a referendum among producers or processors and in the case of an order other than an amendatory order shall do so. The requirements of approval or favor under any such provision shall be held to be complied with if, of the total number of producers or processors, or the total volume of production, as the case may be, represented in such referendum, the percentage approving or favoring is equal to or in excess of the percentage required under such provision. The terms and conditions of the proposed order shall be described by the Secretary in the ballot used in the conduct of the referendum. The nature, content, or extent of such description shall not be a basis for attacking the legality of the order or any action relating thereto. Nothing in this subsection shall be construed as limiting representation by cooperative associations as provided in subsection (12) of this section."

(5) Section 8c is amended to read as follows:

"Notwithstanding any other provision of law, whenever a marketing order issued by the Secretary of Agriculture pursuant to section 8c of this Act contains any terms or conditions regulating the grade, size, quality, or maturity of tomatoes, avocados, mangoes, limes, grapefruit, green peppers, Irish potatoes, cucumbers, oranges, onions, walnuts, dates, or eggplants produced in the United States the importation into the United States of any such commodity, other than dates for processing, during the period of time such order is in effect shall be prohibited unless it complies with the grade, size, quality, and maturity provisions of such

order or comparable restrictions promulgated hereunder: Provided, That this prohibition shall not apply to such commodities when shipped into continental United States from the Commonwealth of Puerto Rico or any Territory or possession of the United States where this Act has force and effect: Provided further, That whenever two or more such marketing orders regulating the same agricultural commodity produced in different areas of the United States are concurrently in effect, the importation into the United States of any such commodity, other than dates for processing, shall be prohibited unless it complies with the grade, size, quality, and maturity provisions of the order which, as determined by the Secretary of Agriculture, regulates the commodity produced in the area with which the imported commodity is in most direct competition. Such prohibition shall not become effective until after the giving of such notice as the Secretary of Agriculture determines reasonable, which shall not be less than three days. In determining the amount of notice that is reasonable in the case of tomatoes the Secretary of Agriculture shall give due consideration to the time required for their transportation and entry into the United States after picking. Whenever the Secretary of Agriculture finds that the application of the restrictions under a marketing order to an imported commodity is not practicable because of variations in characteristics between the domestic and imported commodity he shall establish with respect to the imported commodity, other than dates for processing, such grade, size, quality, and maturity restrictions by varieties, types, or other classifications as he finds will be equivalent or comparable to those imposed upon the domestic commodity under such order. The Secretary of Agriculture may promulgate such rules and regulations as he deems necessary, to carry out the provisions of this section. Any person who violates any provision of this section or of any rule, regulation, or order promulgated hereunder shall be subject to a forfeiture in the amount prescribed in section 8a(5) or, upon conviction, a penalty in the amount prescribed in section 8c(14) of the Act, or to both such forfeiture and penalty."

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Department of Agriculture and Related Agencies Appropriation Act, 1963
(P.L. 87-879, 87th Congress, October 24, 1962, 76 Stat. 1208 and 1209)

School Lunch Program

For necessary expenses to carry out the provisions of the National School Lunch Act (42 U.S.C. 1751-1760), \$125,000,000: Provided, That no part of this appropriation shall be used for nonfood assistance under section 5 of said Act: Provided further, That \$45,000,000 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935, for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act.

Foreign Agricultural Service

Salaries and Expenses

For necessary expenses for the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed \$35,000 for representation allowances and for expenses pursuant to section 8 of the Act, approved August 3, 1956 (7 U.S.C. 1766), \$16,895,000: Provided, That not less than \$25,000 of the funds contained in this appropriation shall be available to obtain statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis: Provided further, That, in addition, not to exceed \$3,117,000 of the funds appropriated by section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c) shall be merged with this appropriation and shall be available for all expenses of the Foreign Agricultural Service.

Department of the Interior and Related Agencies Appropriation Acts
(75 Stat. 251; 76 Stat. 340)

Fiscal years 1962 and 1963

Section 32 Commodities to be donated to Trust Territory of the Pacific Islands.

"Provided further, That notwithstanding the provisions of any law, the Trust Territory of the Pacific Islands is authorized to receive, during the current fiscal year, from the Department of Agriculture for distribution on the same basis as domestic distribution in any State, Territory, or possession of the United States, without exchange of funds, such surplus food commodities as may be available pursuant to section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c) and section 416 of the Agricultural Act of 1949, as amended (7 U.S.C. 1431)."

Department of Agriculture and Related Agencies Appropriation Act, 1964
(P.L. 88-250, 88th Congress, December 30, 1963, 77 Stat. 826-827)

School Lunch Program

For necessary expenses to carry out the provisions of the National School Lunch Act (42 U.S.C. 1751-1760), \$137,000,000: Provided, That no part of this appropriation shall be used for nonfood assistance under section 5 of said Act: Provided further, That \$45,000,000 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935, for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act.

Removal of Surplus Agricultural Commodities (Section 32)

No funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used for any purpose other than commodity program expenses as authorized therein, and other related operating expenses, except for (1) transfers to the Department of the Interior as authorized by the Fish and Wildlife Act of August 8, 1956, (2) transfers otherwise provided in this Act, (3) not more than \$4,754,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961, (4) not more than \$45,000,000 for expenses for the Pilot Food Stamp Program, and (5) not more than \$16,000,000 for transfer to the Commodity Credit Corporation to be used to increase domestic consumption of any farm commodity or farm commodities determined by the Secretary of Agriculture to be in surplus supply, and hereafter such sums (not in excess of \$25,000,000 in any one year) as may be approved by the Congress shall be available for such purpose, such authorization not to restrict authority in existing law, of which amount \$11,000,000 shall remain available until expended for construction and equipping of research facilities determined to be needed as a result of a special survey.

Foreign Agricultural Service

Salaries and Expenses

For necessary expenses for the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed \$35,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$18,699,500: Provided, That not less than \$255,000 of the funds contained in this appropriation shall be available to obtain statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis: Provided further, That, in addition, not to exceed \$3,117,000 of the funds appropriated by section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c), shall be merged with this appropriation and shall be available for all expenses of the Foreign Agricultural Service.

Department of the Interior and Related Agencies Appropriation Acts
(77 Stat. 102-103; 78 Stat. 279)

Fiscal Years 1964 and 1965

Section 32 Commodities to be donated to Trust Territory of the Pacific Islands:

"Provided further, That notwithstanding the provisions of any law, the Trust Territory of the Pacific Islands is authorized to receive, during the current fiscal year, from the Department of Agriculture for distribution on the same basis as domestic distribution in any State, Territory, or possession of the United States, without exchange of funds, such surplus food commodities as may be available pursuant to section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c) and section 416 of the Agricultural Act of 1949, as amended (7 U.S.C. 1431)."

Department of Agriculture and Related Agencies Appropriation Act, 1965
(P.L. 88-573, 88th Congress, September 2, 1964, 78 Stat. 868)

Special Milk Program

For necessary expenses to carry out the Special Milk Program, as authorized by the Act of August 8, 1961 (7 U.S.C. 1446, note), \$103,000,000, of which \$51,500,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612): Provided, That hereafter appropriations under this head shall be made in accordance with the provisions of Public Law 87-128.

School Lunch Program

For necessary expenses to carry out the provisions of the National School Lunch Act, as amended (42 U.S.C. 1751-1760), \$146,400,000: Provided, That no part of this appropriation shall be used for non-food assistance under section 5 of said Act: Provided further, That \$45,000,000 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935, for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act.

Removal of Surplus Agricultural Commodities
(Section 32)

No funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used for any purpose other than commodity program expenses as authorized therein, and other related operating expenses, except for (1) transfers to the Department of the Interior as authorized by the Fish and Wildlife Act of August 8, 1956, (2) transfers otherwise provided

in this Act, (3) not more than \$2,924,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961, (4) not more than \$35,000,000 for expenses for the Pilot Food Stamp Program and (5) not in excess of \$12,175,000 to be used to increase domestic consumption of farm commodities pursuant to authority contained in Public Law 88-250, the Department of Agriculture and Related Agencies Appropriation Act, 1964, of which amount \$500,000 shall remain available until expended for construction, alteration and modification of research facilities.

Foreign Agricultural Service

Salaries and Expenses

For necessary expenses for the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed \$35,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$20,488,000: Provided, That not less than \$255,000 of the funds contained in this appropriation shall be available to obtain statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis: Provided further, That, in addition, not to exceed \$3,117,000 of the funds appropriated by section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c), shall be merged with this appropriation and shall be available for all expenses of the Foreign Agricultural Service.

Department of Agriculture and Related Agencies Appropriation Act, 1966 (P.L. 89-316, 89th Congress, November 2, 1965, 79 Stat. 1171)

School Lunch Program

For necessary expenses to carry out the provisions of the National School Lunch Act, as amended (42 U.S.C. 1751-1760), \$157,000,000, including \$2,000,000 for special assistance to needy schools, as authorized by law: Provided, That no part of this appropriation shall be used for nonfood assistance under section 5 of said Act: Provided further, That \$45,000,000 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935, for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act.

Removal of Surplus Agricultural Commodities
(Section 32)

No funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used for any purpose other than commodity program expenses as authorized therein, and other related operating expenses, except for (1) transfers to the Department of the Interior as authorized by the Fish and Wildlife Act of August 8, 1956, (2) transfers otherwise provided in this Act, and (3) not more than \$2,924,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961.

Agricultural Research Service

Salaries and Expenses

... and in addition not to exceed \$18,100,000 from funds available under section 32 of the Act of August 24, 1935, pursuant to Public Law 88-250 to be transferred to and merged with this appropriation:...

Cooperative State Research Service

Payments and Expenses

... and not to exceed \$400,000 from funds available under section 32 of the Act of August 24, 1935, pursuant to Public Law 88-250 to be transferred and merged with this appropriation; ...

Foreign Agricultural Service

Salaries and Expenses

For necessary expenses for the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed \$35,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$20,574,000: Provided, That not less than \$255,000 of the funds contained in this appropriation shall be available to obtain statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis: Provided further, That, in addition not to exceed \$3,117,000 of the funds appropriated by section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c), shall be merged with this appropriation and shall be available for all expenses of the Foreign Agricultural Service.

Department of Agriculture and Related Agencies Appropriation Act, 1967
(P.L. 89-556, 89th Congress, September 7, 1966, 80 Stat. 695)

Special Milk Program

For necessary expenses to carry out the Special Milk Program, as authorized by the Act of August 8, 1961 (7 U.S.C. 1446, note), \$51,000,000, and in addition \$53,000,000 shall be transferred from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), and merged with this appropriation.

School Lunch Program

For necessary expenses to carry out the provisions of the National School Lunch Act, as amended (42 U.S.C. 1751-1760), \$165,855,000, including \$2,000,000 for special assistance to needy schools, as authorized by law: Provided, That no part of this appropriation shall be used for nonfood assistance under section 5 of said Act: Provided further, That \$45,000,000 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act.

Removal of Surplus Agricultural Commodities

(Section 32)

No funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used for any purpose other than commodity program expenses as authorized therein, and other related operating expenses, except for (1) transfers to the Department of the Interior as authorized by the Fish and Wildlife Act of August 8, 1956, (2) transfers otherwise provided in this Act, and (3) not more than \$2,924,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961.

Foreign Agricultural Service

Salaries and Expenses

For necessary expenses for the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed \$35,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$21,218,500: Provided, That not less than \$255,000 of the funds contained in this appropriation shall be available to obtain statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm

commodities in world trade on a competitive basis: Provided further, That, in addition, not to exceed \$3,117,000 of the funds appropriated by section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c), shall be merged with this appropriation and shall be available for all expenses of the Foreign Agricultural Service.

Agricultural Research Service

... and in addition not to exceed \$25,000,000 from funds available under section 32 of the Act of August 24, 1935, pursuant to Public Law 88-250 shall be transferred to and merged with this appropriation, ...

Department of Agriculture and Related Agencies Appropriation Act, 1967 (P. L. 90-113, 90th Congress, October 24, 1967, 81 Stat. 320, 326, 327)

Special Milk Program

For necessary expenses to carry out the Special Milk Program, as authorized by the Child Nutrition Act of 1966 (80 Stat. 885-890), \$104,000,000, to be transferred from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c).

School Lunch Program

... That \$45,000,000 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act.

Removal of Surplus Agricultural Commodities (Section 32)

No funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used for any purpose other than commodity program expenses as authorized therein, and other related operating expenses, except for (1) transfers to the Department of the Interior as authorized by the Fish and Wildlife Act of August 8, 1956, (2) transfers otherwise provided in this Act, and (3) not more than \$2,924,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961.

Agricultural Research Service

Salaries and Expenses

... and in addition not to exceed \$15,000,000 from funds available under section 32 of the Act of August 24, 1935, pursuant to Public Law 88-250 to be transferred and merged with this appropriation...

Foreign Agricultural Service

Salaries and Expenses

... That, in addition, not to exceed \$3,117,000 of the funds appropriated by section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c), shall be merged with this appropriation and shall be available for all expenses of the Foreign Agricultural Service.

Department of Agriculture and Related Agencies Appropriation Act, 1969
(P. L. 90-463, 90th Congress, August 8, 1968, 82 Stat. 639)

Special Milk Program

For necessary expenses to carry out the Special Milk Program, as authorized by the Child Nutrition Act of 1966 (42 U.S.C. 1772), \$104,000,000, to be transferred from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c).

School Lunch Program

... That \$64,325,000 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act.

Removal of Surplus Agricultural Commodities
(Section 32)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for (1) transfers to the Department of the Interior as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; (3) not more than \$2,950,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961; and (4) not more than \$45,000,000 (including not to exceed \$1,000,000 for State administrative expenses) for (a) child feeding programs and nutritional programs authorized by law in the School Lunch Act and the Child Nutrition Act, as amended; and (b) additional direct distribution or other programs, without regard to whether such area is under the food stamp program or a system of direct distribution, to provide, in the immediate vicinity of their place of permanent residence, either directly or through a State or local welfare agency, an adequate diet to other needy children and low-income persons determined by the Secretary of Agriculture to be suffering, through no fault of their own, from general and continued hunger resulting from insufficient food: Provided, That in making such determinations, the Secretary shall take into consideration the age; income; location and income of parents, if a minor; and employability.

Foreign Agricultural Service

Salaries and Expenses

... That, in addition, not to exceed \$3,117,000 of the funds appropriated by section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c), shall be merged with this appropriation and shall be available for all expenses of the Foreign Agricultural Service.

Agricultural Research Service

Salaries and Expenses

... That none of the funds appropriated in this Act shall be used to formulate a budget estimate for fiscal 1970 of more than \$15,000,000 for research to be financed by transfer from funds available under section 32 of the Act of August 24, 1935, ...

